

Abstract

Administrative Justice in the CSR in the Years 1918 - 1938 within European context.

For my thesis I chose as a topic ‘Administrative Justice in the CSR in the Years 1918 - 1938 within European Context’, as administrative justice including the protection against illegal interventions of executive power is topical for any democratic state at any time. The purpose of administrative justice is reviewing administrative acts of public administration namely by independent courts. I decided to target my thesis on the period of so-called first republic thus on the period from 28 October 1918 i.e. from establishing the independent Czechoslovak state to 30 September 1938, i.e. the signing of the Munich agreement. After establishing the independent Czechoslovak state The Act on the Supreme Administrative Court and on Solving Competence Litigations was one of the first acts passed by the National Czechoslovak Committee. This year i.e. in 2018 it has been 100 years since constituting administrative justice in the Czechoslovak Republic. However, when the Czechoslovak Republic came into being administrative justice was not formed from scratch, but by the above mentioned Act on Administrative Justice and Solving Competence Litigations Austrian administrative justice was adopted. During the first republic, however, administrative justice was not executed only by the Supreme Administrative Court, but also by other courts, namely by common and special courts. Constitutional fundamentals of administrative justice were of course incorporated in the constitutional deed of the Czechoslovak Republic, which, however, supposed the multi-level administrative justice to be formed, which would have been executed not only by the Supreme Administrative Court, but also by courts of lower instances. This constitutionally legal intention, however, was not fulfilled. Owing to the fact that administrative justice in Central Europe including the Czechoslovak Republic is based on the same or similar principles, this thesis also focuses on comparing administrative justice in some European states. Administrative justice in the Czechoslovak Republic, however, did not end by the signing of the Munich agreement, therefore in my thesis I also deal with the period after the year 1938. The aim of my thesis is the detailed analysis of the legal amendments to administrative justice in the Czechoslovak Republic in the years 1918 - 1938, even in the European context. If you look at the structure of my thesis, you can see that I first focused on

the notion and definition of administrative justice. As I mentioned, administrative justice de facto took over legal regulation of the Austrian administrative justice, therefore an independent part of my thesis is concerned even with administrative justice in the Austro- Hungarian Empire. In the further part I already deal with administrative justice in the Czechoslovak Republic in the specified period. This part is divided into several chapters, which describe administrative justice executed by the Supreme Administrative Court, administrative justice at district and regional offices and administrative justice executed by regular courts, election, patent, cartel, arbitration, and insurance courts. The following part deals with administrative justice in some of the European states in the specified period, namely in Austria, Germany, Poland, and Yugoslavia. The last part deals with administrative justice in the Czechoslovak Republic after the year 1938. In my thesis I deal in detail not only with the analysis of legal bylaws, which amended administrative justice, but also with the analysis of authentic resources in the form of the information, which I obtained in the research department of the National Archive, in the digital parliamentary library or from expert literature, but I remembered to mention even historical or political circumstances, which made an impact on administrative justice amendments.

Administrative justice, administrative act, public subjective rights, administrative court, judge